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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,077	11/14/2003	Anotoly S. Belkin	CE10641R/10-164	2618

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MOTOROLA, INC.
1303 EAST ALGONQUIN ROAD
IL01/3RD
SCHAUMBURG, IL 60196

EXAMINER

FIGUEROA, MARISOL

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/714,077

Applicant(s)

BELKIN ET AL.

Examiner

Marisol Figueroa

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 9, 10, 16-18, 20, 21, 25-30, 33 and 34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 16-18 and 28-30 is/are rejected.
- 7) ☒ Claim(s) 9, 10, 20, 21, 25, 26, 33 and 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/02/2006 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 16, and 28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

4. Claim 1 is objected to because of the following informalities:

(a) On line 10 of claim 1, delete the word "selected" before "communication" for positively reciting the limitations of the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-4, 6, and 28-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Stuart et al. (US 2002/0101858 A1) in views of Hunzinger et al. (US 6,748,217 B1) and Bhagat et al. (US 5,559,862).

Regarding claim 1, Stuart discloses a wireless communication unit, the wireless communication unit comprising:

a transceiver configured to communicate over a wireless local area network (LAN) and wireless wide area network (WAN), wherein the LAN has a dialing plan and the WAN has a dialing plan (see Fig. 2; Fig. 3; p.0048; p.0050; p.0052);

a user interface operable to provide a number corresponding to a target unit to be called (see Fig. 3; user interface 302 such as a keyboard conventionally used to dial calls); and

a controller (see Fig. 3; controller 304), coupled to the transceiver and the user interface (see p.0050), configured to select a communication network from among a wireless LAN communication network and the wireless WAN communication network, wherein the selected communication network will be used to place a call to a target unit (see Fig. 2; p.0064, lines 1-12; the communication unit selects from a plurality of available communication networks, i.e. WLAN, WAN, etc, for establishing communications, e.g. voice call, with another communication unit).

But, Stuart fails to specifically disclose wherein the communication device selects a communication network by determining in which of the wireless network the communication unit is located. However, selecting a network based in location is well known in the art and Hunzinger is evidence of the fact. Hunzinger teaches a service system selection by a mobile unit in a wireless communication system. The mobile unit determines its location and based on that position selects the proper service system, therefore, limiting the number of systems searched when selecting a service (see abstract; col. 1, line 52- col. 2, lines 1-52). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to select a communication network by determining which of the wireless communication unit is located as suggested by Hunzinger, the motivation being to enhance the selection process by limiting the selection of a communication network to the current location of the communication unit.

Nevertheless, the combination of Stuart and Hunzinger fails to disclose wherein the communication unit is operable to reformat dialed numbers and obtains reformatting rules corresponding to the dialing plan of the selected communication network and reformat the number according to the reformatting rules of the selected communication network, to place the call to a target unit using the reformatted number over the selected network. However, in a related field of endeavor, Bhagat teaches a mobile telephone that reformats a number to be called (i.e. callback number) by adding a prefix to the telephone number according to a dialing plan based on an SID of a network (see abstract; Fig. 5, steps 208-214; col. 2, lines 30-42). The mobile telephone reformats a number to be dialed according to a dialing plan in order to provide number with the necessary digits to complete the call (see col. 3, line 29-col. 4, lines 1-18). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to reformat dialed numbers according to a dialing plan of a communication network as suggested by Bhagat, in order for the

communication unit to automatically complete a call without requiring user intervention when roaming between networks having different dialing plans.

Regarding claim 2, the combination of Stuart, Hunzinger, and Bhagat disclose the wireless communication unit of claim 1, Bhagat discloses wherein the controller provides the reformatted number according to the reformatting rules where the reformatted number further comprises the number with one of a digit deleted, a digit added, and a digit substituted (see col.4, lines 5-8; the number formatted by adding the necessary prefixes, i.e. adding digits). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, wherein the reformatted rules comprises the number with one digit added as suggested by Bhagat, the motivation being to format a telephone number with the number of digits necessary to complete a call.

Regarding claim 3, the combination of Stuart, Hunzinger, and Bhagat disclose the wireless communication unit of claim 1, Bhagat discloses further including a memory that is arranged to store the reformatting rules (see Fig. 2; dialing plan table 40 and dialing plan determination 36), wherein the controller provides the reformatted number by applying the reformatting rules to the number (col. 3, line 57 – col. 4, lines 1-9). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to include a memory to store the reformatting rules as suggested by Bhagat, in order for the communication unit to automatically reformat telephone numbers according to the stored rules.

Regarding claim 4, the combination of Stuart, Hunzinger, and Bhagat disclose the wireless communication unit of claim 3, Bhagat discloses wherein the reformatting rules are obtained in part by one of a user entry at the user interface, a table of rules provided during configuration of the wireless communication unit, and a configuration file provided by the communication network (see col. 3, lines 43-64; a dialing plan table is stored in the mobile telephone and can be updated

“over the air”).

Regarding claim 6, the combination of Stuart, Hunzinger, and Bhagat disclose the wireless communication unit of claim 3, Bhagat discloses wherein the controller selects a set of reformatting rules from a plurality of sets of reformatting rules, the set of reformatting rules corresponding to the communication network (see col. 3, lines 57-63).

Regarding claim 28, Stuart discloses a method of reformatting dialed numbers according to dialing plans for a plurality of communication networks, the method comprising:

providing, at a wireless communication unit suitable for operation over a wireless local area network (LAN) and a wireless wide area network (WAN) (see Fig. 2; p.0051; the communication unit operates in accordance with various communication networks, i.e. WLAN, WAN, etc), a number corresponding to a target unit to be called (see Fig. 3; the communication unit such as a keyboard for dialing numbers for communicating with another communication unit); selecting one of the wireless LAN and the wireless WAN as a communication network that will be used to place a call to the target unit (see Fig. 2; p.0064, lines 1-12; the communication unit selects from a plurality of available communication networks, i.e. WLAN, WAN, etc, for establishing communications, e.g. voice call, with another communication unit).

But, Stuart fails to specifically disclose wherein the communication device selects a communication network by determining in which of the wireless network the communication unit is located. However, selecting a network based in location is well known in the art and Hunzinger is evidence of the fact. Hunzinger teaches a service system selection by a mobile unit in a wireless communication system. The mobile unit determines its location and based on that position selects the proper service system, therefore, limiting the number of systems searched when selecting a service (see abstract; col. 1, line 52- col. 2, lines 1-52). Therefore, it would have been obvious to one

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having ordinary skill in the art at the time of the invention, to select a communication network by determining which of the wireless communication unit is located as suggested by Hunzinger, the motivation being to enhance the selection process by limiting the selection of a communication network to the current location of the communication unit.

Nevertheless, the combination of Stuart and Hunzinger fails to disclose wherein the communication unit is operable to reformat dialed numbers and obtains reformatting rules corresponding to the dialing plan of the selected communication network and reformat the number according to the reformatting rules of the selected communication network, to place the call to a target unit using the reformatted number over the selected network. However, in a related field of endeavor, Bhagat teaches a mobile telephone that reformats a number to be called (i.e. callback number) by adding a prefix to the telephone number according to a dialing plan based on an SID of a network (see abstract; Fig. 5, steps 208-214; col. 2, lines 30-42). The mobile telephone reformats a number to be dialed according to a dialing plan in order to provide number with the necessary digits to complete the call (see col. 3, line 29-col. 4, lines 1-18). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to reformat dialed numbers according to a dialing plan of a communication network as suggested by Bhagat, in order for the communication unit to automatically complete a call without requiring user intervention when roaming between networks having different dialing plans.

Regarding claim 29, the combination of Stuart, Hunzinger, and Bhagat disclose the method of claim 28, Bhagat discloses wherein the reformatted number further comprises providing the reformatted number according to reformatting rules that are applied to the number, where the reformatted number further comprises the number with one of a digit deleted, a digit added, and a digit substituted (see col.4, lines 5-8; the number formatted by adding the necessary prefixes, i.e.

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adding digits). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, wherein the reformatted rules comprises the number with one digit added as suggested by Bhagat, the motivation being to format a telephone number with the number of digits necessary to complete a call.

Regarding claim 30, the combination of Stuart, Hunzinger, and Bhagat disclose the method of claim 28, Bhagat discloses wherein the obtaining the reformatting rules comprises obtaining the formatting rules in part from one of entering the formatting rules at a user interface, configuring the wireless communication unit with a table of rules, and downloading a configuration file from the communication network (see col. 3, lines 43-64; a dialing plan table is stored in the mobile telephone and can be updated “over the air”).

7. **Claim 16, and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over O’Prey (US 2002/0013163 A1) in view of Hunzinger et al. (US 6,748,217 B1).

Regarding claim 16, O’ Prey discloses a wireless communication unit operable to reformat dialed numbers (abstract, lines 2-6) according to dialing plans for a plurality of communication networks, the wireless communication unit comprising:

a transceiver configured for transmitting and receiving via a plurality of communication networks (P.0020, lines 11-13);

a user interface operable to provide a number corresponding to a target unit to be called (P.0020, lines 6-8);

and a controller (P.0020, lines 2-4), coupled to the transceiver and the user interface (Fig.2), to provide a reformatted number corresponding to the number (P.0035, lines 1-4) and according to a preference that is specific to the wireless communication unit (P.0035, lines 1-8; the preference is establishing a call with the lowest cost to the user, therefore it is a preference specific

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to the mobile phone which is carried by a user), where the reformatted number is compatible with a dialing plan (P.0037, lines 1-7; the prefix added to the number determines the network in where the call will proceed, it is inherent to notice that the formatted number is compatible with the communication network in order to be routed through the network) for the selected communication network that will be used to place a call to the target unit (P.0023, lines 13-23; the prefixed number is used to place the call via a selected communication network), wherein the selected network is selected from among the plurality of communication networks and is selected by the controller (p.0035; p.0036, lines 6-13; the main processor with information stored in the SIM card selects an access prefix from a plurality of access prefixes, note that the access prefixes identifies the plurality of networks to choose from to route a call).

But, O' Prey fails to disclose wherein the communication network is selected by determining within which, the wireless communication unit is located. However, selecting a network based in location is well known in the art and Hunzinger is evidence of the fact. Hunzinger teaches a service system selection by a mobile unit in a wireless communication system. The mobile unit determines its location and based on that position selects the proper service system, therefore, limiting the number of systems searched when selecting a service (see abstract; col. 1, line 52- col. 2, lines 1-52). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to select a communication network by determining which of the wireless communication unit is located as suggested by Hunzinger, the motivation being to enhance the selection process by limiting the selection of a communication network to the current location of the communication unit.

Regarding claim 27, the combination of O'Prey and Hunzinger disclose the wireless communication unit of claim 16, O'Prey discloses wherein the number is an abbreviated number and when the abbreviated number is not compatible with a dialing plan for the selected communication network, the controller operates to provide the reformatted number by one of a) applying an algorithm to the abbreviated number, b) retrieving an access number and appending the abbreviated number and an over dial suffix, and b) retrieving a stored number from a look up table that is indexed according to the abbreviated number (P.0035; P.0045; a route for a call is selected and the number as dial can not be routed without the access prefix of the network, the SIM of the phone cooperation with the processor prefix to the dialed number a four-digit access prefix that determines the route or network, the number digits may be other than four, and may be inserted within the digit string or at the end of the original dialed number).

8. **Claims 17-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Prey in view of Hunzinger et al., and further in view of Phillips (US 2004/0042613 A1).

Regarding claim 17, the combination of O' Prey and Hunzinger disclose the wireless communication of claim 16, O' Prey discloses further comprising a memory arranged to store the formatting instructions (P.0035, lines 5-12, 6-13; P.0035). However O' Prey fails to disclose that the memory stores reformatting rules and the preference which corresponds to a set of the formatting rules that are chosen and wherein the controller provides the reformatted number by applying the set of formatting rules that are chosen to the number. Phillips discloses a rule-based implementation for translating or reformatting a dialed string to contact a called party (P.0001-0002), based in, for example, on characteristics of the telephone number, in where one or more rules are defined to translate the dialed number (P.0008, lines 1-3), these rules are applied if one or more conditions are satisfied. The formatting or translating rules are stored in a database of a

switch in where these operations occurs (P.0019) but also such functions could be implemented in the telephones of each calling party (P.0026, lines 1-6). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to store the preference and formatting rules in the memory of the wireless communication device, in order to implement the functions of analyzing the dialed number in the wireless communication device according to formatting instructions when the conditions are met, which defines a corresponding action.

Regarding claim 18, the combination of O' Prey, Hunzinger, and Phillips discloses the wireless communication unit of claim 17, O' Prey discloses wherein the formatting instructions are obtained by one of a user and a configuration file provided via the selected communication network (P.0048). Although O' Prey does not specifically disclose that the configuration file comprises reformatting rules, he discloses that data about routing procedures can be downloaded in the SIM of the wireless communication unit over the cellular communications network, and this data facilitates the process of analyzing a dialed number and assigning a prefix code by comparing the national and international dialing code of the destination telephone number (P.0036, lines 6-13) which are rules for reformatting the dialed numbers.

Allowable Subject Matter

9. **Claims 9, 10, 20, 21, 25, 26, 33, and 34** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Mazzara, JR. (US 2003/0100334 A1).

(b) Patel et al. (US 2002/0160815 A1).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m..

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Marisol Figueroa
Art Unit 2617


LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER